

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
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UNITED STATES OF AMERICA

V.

TONY DIAZ

U.S. DISTRICT COURT  
DISTRICT OF MASS.

NO. 04-10274-PBS

MEMORANDUM IN SUPPORT OF C.J.A. BILL

This memorandum is submitted with defense counsel's C.J.A. bill to assist the Court in appreciating the complexity and difficulty of this case. The defendant was charged with being a felon in possession of a firearm and being an illegal alien in possession of a firearm. Undersigned counsel was appointed as successor counsel after the defendant and his first appointed lawyer had disagreements over strategy.

Defense counsel had to investigate all aspects of the case, including much of the work which his prior attorney conducted. This endeavor included lengthy meetings with the defendant and numerous conversations with him about strategy. The defendant was held in custody at M.C.I. Cedar Junction and M.C.I. Plymouth.

Additionally, the defendant had numerous state convictions which had to be looked into to decide whether to seek to have

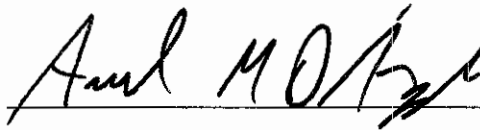
the state cases overturned. Once a decision was made to go to trial, hundreds of pages of immigration documents needed to be gone over with the defendant at length. Also, motions in limine had to be drafted because of the uncharged conduct which the federal prosecutor was initially going to include in his version of the facts of the underlying federal case. Ultimately, the prosecutor decided not to introduce the shooting which the defendant was implicated in.

The defendant was acquitted of the felon in possession of a firearm charge, but sentencing was still a live issue. Attempting to explain the Sentencing Guidelines and the role the defendant's prior convictions played in his sentence was extremely difficult.

This was a very difficult case, not only because of the difficult facts and law implicated, but also because of the complicated task of establishing a trusting relationship with the defendant.

C.J.A. panel members are expected to provide the highest quality representation for the indigent clients to whom we are appointed. I believe that I met that standard in this case, and that the compensation sought is fair and reasonable under the circumstances.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Andrew M. D'Angelo", written over a horizontal line.

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